

**REMARKS****STATUS OF THE CLAIMS**

Claims 1-20 are pending in this application. Out of the pending claims, claims 1 and 11 are independent claims. Claims 2 and 14-16 have been objected to under 37 CFR 1.75 (c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Claims 1, 8, 9 and 19 have been rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter. Claims 1, 4, 11 and 14 have been rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,081,591 to Skoog (hereinafter “Skoog”). Claims 2, 3, 5-10, 12, 13 and 15-20 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Skoog.

**OBJECTIONS UNDER 37 CFR 1.75(C)**

Claims 2 and 14-16 have been objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim.

The Examiner stated that claim 2 fails to further limit claim 1 because the determining step of claim 1 “presupposes” an updating of the availability of an agent.

Claim 2 has been amended to clarify that the “updating” step is directed to an availability entry in which the availability of the plurality of agents is indicated. The “determining” step may then be followed to select an agent among the plurality of agents.

The Examiner stated that claims 14-16 fail to further limit because the limitation of claim 14 contradicts the limitation of claim 11 in which a single agent is claimed.

Claim 11 has been amended to incorporate the term “at least”.

Reconsideration and withdrawal of the objection of claims 2 and 14-16 under 37 CFR

1.75(c) are respectfully requested.

### **REJECTIONS UNDER 35 U.S.C §112**

Claims 1, 8, 9 and 19 have been rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter.

Referring to claim 1, the Examiner noted that it is unclear whether claim 1 is restricted to the case in which only one agent exists.

Claim 1 has been amended to indicate ‘an agent’ is selected among ‘a plurality of agents’ clearing up the contradiction.

Referring to claims 8, 9, 18 and 19, the Examiner stated that it is unclear whether all or only one of the NCP architecture network is of the specified type, i.e. circuit switched for claims 8 and 18, and ATM for claims 9 and 19.

Claim 7, from which claims 8 and 9 depend, requires that at least one of the disparate telecommunications network is an NCP architecture network. Claims 8 and 9 then further limit that the specified NCP network is a circuit-switched network and ATM network, respectively. Claims 18 and 19 have similar structure to claims 8 and 9.

Reconsideration and withdrawal of the rejection of claims 8, 9, 18 and 19 under 35 U.S.C. §112, second paragraph, are respectfully requested.

### **REJECTIONS UNDER 35 U.S.C §102**

Claims 1, 4, 11 and 14 have been rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,081,591 to Skoog (hereinafter “Skoog”). The Examiner stated that the invention of Skoog satisfies all the limitations of claim 11.

Claim 1, as amended, is directed to a method for connecting a call to an agent that is

connected to disparate telecommunications networks. The method includes a step of determining an agent based on the availability of the agent as well as one of an agent skill level and a most idle agent criteria. Support may be found, for example, in page 4, lines 4-5 of the specification as originally filed.

Skoog is cited as disclosing a signaling network gateway device. In Skoog, signaling information can be exchanged between out-of-band interoffice signaling network and non-traditional signaling information end points. As indicated by the Examiner, Skoog discloses that “[p]rivate network 24 may be a private branch exchange (PBX), an automatic call distributor (ACD), a computer network such as a local area network (LAN) or a wide area network (WAN), and the like.” (column 11, lines 7-10)

Skoog, however, fails to show or suggest that the automatic call distributor determines an agent based on the availability of the agent as well as one of an agent skill level and a most idle agent criteria as specifically required by claim 1 of the present invention.

Claim 11 is a system claim which has similar features to claim 1, i.e. determining the at least one agent based on the availability of the agent as well as one of an agent skill level and a most idle agent criteria.

Accordingly, claims 1 and 11 are not anticipated by Skoog.

Claims 4 and 14, in depending from claims 1 and 11, respectively, each incorporate all the features of claims 1 and 11, respectively, and so each of claims 4 and 14 is not anticipated by Skoog for the reasons discussed above.

Reconsideration and withdrawal of the rejection of claims 1, 4, 11 and 14 under 35 U.S.C. §102(e) are respectfully requested.

**REJECTIONS UNDER 35 U.S.C §103**

Claims 2, 3, 5-10, 12, 13 and 15-20 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Skoog.

Claims 2, 3, 5-10, 12 and 13 depend from independent claim 1, and claims 15-20 depend from independent claim 11. As a result, the dependent claims incorporate all the features of independent claims 1 and 11. Accordingly, claims 2, 3, 5-10 and 15-20 are not made obvious by Skoog for the reasons discussed above.

Reconsideration and withdrawal of the rejection of claims 2, 3, 5-10, 12, 13, and 15-20 under 35 U.S.C. §103(a) are respectfully requested.

**CONCLUSION**

Based on the foregoing amendments and remarks, Applicants respectfully request reconsideration and allowance of this application.

Respectfully submitted,

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